

the force of law unless amended by the Legislative Council within that period or if the Council is not sitting during that period, at its next meeting”.

Mr. K. M. Ibrahim (Cranganur).—Am I to take it that one month has not already elapsed? These rules were published in the last meeting. So they require one and a half months?

Mr. President.—They will become law next Friday.

Mr. C. R. Iyyunni (Trichur, South).—Sir, I am extremely glad to find that the Government is one with me, is in agreement to the spirit with which the resolution has been moved. But in actuality the Government do not agree with me, in a committee being formed for that purpose. Government appears to be rather slow in moving in this direction. I do not know why it is so. When the Hon’ble Member was answering questions to day he said that the more important and salient proposals that have been made by the various heads of departments have not been properly tackled. That itself shows that Government is not expeditious enough in this matter. That is the reason that has prompted me to say a few words with regard to this matter. I hope that Government will take serious notice of this since it is one which must be interesting to all of us and which must vitally affect the State.

Mr. President.—I may inform the Hon’ble Members that we have taken some steps in this direction. We have addressed the Government of India some months back to send an expert attached to the Dehra Dun College to come and investigate the possibility of starting a paper factory near Chalakudi. It is nearly six months now since we have addressed the Government of India. Our request has been complied with and the expert would be conducting investigations shortly.

Mr. C. R. Iyyunni (Trichur, North).—I beg leave of the House to withdraw the motion.

Resolution was, by leave, withdrawn.

20. Compensation to be made to certain Valas of Thoosam.

Mr. A. V. Moothedan (Chalakkudi).—“*This Council recommends to the Government that justice be done to the 17 Vala (Araya) families who demolished their houses at Thoosam at the instance of the Government*”.

Sir, this is the third time that this subject is discussed in this Council. We had full dressed debates on the subject on two occasions before. My object in bringing this subject a third

time is to point out to the Government that by evicting the Arayas who were residing at Thoosam, some injustice has been done to the 17 Araya families who were residing in big houses at Thoosam. Some of these houses were even estimated by the Engineering Department to cost Rs. 2,000 and the owners of these houses were given only a nominal compensation of Rs. 10. That was very hard and unfair.

In order to understand the position clearly I have to refer back a little to the history of this subject. These Valans have been faithful servants of His Highness the Maharaja and the Maharajas have been very grateful for their services. Before 1085 they were residing on the shores extending from the Huzur jetty to the Guest House and His Highness the abdicated Maharaja wanted to shift them from there for the development of the town. But in recognition of their past services His Highness allowed them to settle on the land known as Thoosam west of the Railway Station. About 8 years ago Government thought it desirable to sell these lands occupied by the Valans to the Burmah Shell Company. There were about 120 families residing there. The next problem was how to find accommodation for them. To solve this problem the Government started the famous Pachalam Colonization Scheme. In 1107 budget Rs. 38,000 was allotted for constructing houses in the Pachalam colony. But the Members of this House thought it unwise to segregate the Valans at a particular locality and hence a very heated debate took place in this Council on a cut motion. Some of the Hon'ble Members sitting here to-day were present on that occasion. I may mention the Hon'ble Member for Pazhayannur, Hon'ble Member for South Ezhuvas, Hon'ble Member for Vadakkancheri, Hon'ble the Revenue Member, Hon'ble the Engineering Member, the Hon'ble the Excise Member—all of them took a leading part. From that debate I shall cite one or two passages (third series Vol. III part VII, 535) Mr. Krishna Menon asked 'has any provision been contemplated in the case of those Valans who are not willing to shift to Pachalam?'

Mr. V. K. Aravindaksha Menon replied 'They will be paid compensation for the huts they will have to vacate'. Then again the Engineering Member said 'the exact method of compensating those who are not going to Pachalam has not yet been settled. After discussion, the Government slightly changed their programme. That is this. Those who wanted to go to Pachalam might go there. Those who were unwilling might go anywhere they liked. But in 1108, after sometime

the Government issued notice to all these people to quit the houses in 15 days. Then an adjournment motion was moved by Mr. A. Sankara Poduval. It was unanimously supported without distinction of caste or creed and as an outcome of that, the House gave its considered opinion that these poor people should be given adequate compensation. The reply on the part of the Government was given by the then Diwan Secretary now the Excise Commissioner. 'These people have been occupying the site under special license and according to clause IV of that they are to vacate it whenever Government want them so to do. I must remind the House that this will not be the only class of people or the only instance where there will be licenses of this sort. If we showed a special consideration to one set of people here, we will have naturally to extend it to other licensees under the Government'. Again he continues 'with regard to the question of compensation it is impossible to pay one class of people in one part of the State without paying the same to the same class of people all over the State'. If this is the policy of the Government, how can they pay some Arayas liberal compensation and others a nominal compensation of Rs. 10? Some of the Arayas who went to Pachalam were given houses worth Rs. 360. Some of these people were given 6 cents of land also. Thus it will be seen that some of these families were given about Rs. 1000. According to the Engineering Department some of these houses were estimated to cost about Rs. 2000 but the owners of these houses were given only Rs. 10 as compensation. In some cases they had to spend about Rs. 500 for demolishing their houses. This is sheer injustice.

There is another consideration also. Government in 1090 promulgated the Tenancy Regulation. By that Regulation Government wanted the Landlords to give adequate compensation to the tenants. In this case, Government should be considered as jenmi and the Arayas as tenants. I say, the Government should set an example to the recalcitrant jenmies by giving liberal compensation. Instead of that what has the Government done for houses worth about Rs. 2,000? A nominal compensation of Rs. 10 has been given. In this connection, I wish to submit that this problem has not been dealt with in the proper way. Government tackled the problem piecemeal. Had the Government tackled it as a whole there would have been no difficulty at all. Some people who were not deserving were given about Rs. 1000, while others who really deserved were given Rs. 10 only. With these, I would recommend this resolution for the favourable consideration of the House.

Mr. V. K. Kutty (*Muslims*).—I second it.

Mr. K. Achyuta Menon (*Diwan Peishkar*).—I am sure the resolution is the result of a misapprehension. That is clear from the statement of facts. They are not only incorrect, they are glaringly incorrect. The history of the Valans narrated to the House is also incorrect. The history was more inaccurate than the facts. The Valans were first on the foreshore. They were not transplanted to Thoosam straight. They were first transferred to the place where the Tata Oil Mills now stand and when schemes of expansion were undertaken, they were taken to Thoosam. They were paid compensation the second time but when they were allowed to settle in Thoosam it was on the distinct understanding that they will not be paid any compensation on eviction. That is the real history. The other is tradition and like all traditions full of mistakes. Then as to the justice of the claim I submit a clearer case of over-generous attitude on the part of the Government cannot be conceived of. Valans were there under a distinct order by Government that they will have to vacate when called upon to do so without compensation, and Government stuck to that order in the first instance. Government thus was not bound to give them any compensation. More than that even the improvements were forfeited to the Government by their refusal to vacate. But Government did not want to take that extreme step, although they refused to vacate. Government was prepared to allow them to dismantle their buildings and reserve the materials. The matter first came to the Council in the form of a small question. Then it developed into an adjournment motion. This was in 1108. On the adjournment Motion Government passed orders insisting on eviction. The matter dragged on for two years. Without any request from anybody, of its own accord, Government said that they would give Rs. 10 for demolition. This was a concession but even that term they did not accept. That was the position in 1109. In 1109 I received two petitions. Out of deference to the wishes of this House I tried to see whether it would not be possible to effect some compromise. I discussed the matter personally with the Diwan and with his approval I placed some proposals before the Valans including these 17. A large number, 71, agreed to go to a paramba near by, if they were given loans without interest and on easy terms. In the file I have recorded in my own hand, an agreement from these people that if they are given an advance from the Government for purchasing a land in their name and for building houses they would go elsewhere.

They wanted only Rs. 10 for demolition. I have it here on page 423 of my file. This agreement is written in my own handwriting and they agreed to vacate from the last place, unreservedly.

മിസ്റ്റർ വി. കെ. കുട്ടി (*Muslims*).— നിവൃത്തിയില്ല എന്ന ഘട്ടം വന്നപ്പോഴാണ് ഗവണ്മെൻറ് അതു ചെയ്തത്.

Mr. K. Achyuta Menon (*Diwan Peishkar*).— The extent of the concessions given by Government can easily be seen. Instead of being necked out bag and baggage, they were given advances of Rs. 300 and 400 each without interest, repayable in 20 years. They agreed to quit voluntarily. Another set of 63 were ready to go to Pachalam if they were given houses which would become theirs, in 20 years. Although each house cost the Government more than Rs. 400 they were given these houses on payment of a sum of Rs. 250 without any interest repayable at Re. 1 per month for 20 years. This was the second set. Then there was a third set, 19, who required neither houses nor land. They came and said 'we will go, only give us increased demolition charges' Government agreed and gave them that concession. Finally it was found out that in the Vala Colony there were some Christian interlopers. They were also given compensation.

Mr. K. Ayyappan (*Ezhuvas South*).—What amount was given to the last set?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—I think the largest amount we gave was about Rs. 200.

Mr. K. Ayyappan (*Ezhuvas South*).—Did not the Government realise any amount from the Burmah Shell?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—Because they could not, for the simple reason that the Valans were allowed to take away the houses. Therefore the position is very clear. If the Government had been guilty of anything it is overgenerousness. These 17 had the best of the bargain. The Tenancy Regulation gave them no rights but their cases came under the Land Conservancy Regulation. Under that Regulation when we serve a notice upon them they have to vacate. From that moment, they are encroachers. They are in law entitled to nothing.

മിസ്റ്റർ കെ. അയ്യപ്പൻ (*Ezhuvas, South*).— സർ, ഈ നിശ്ചയം അവതരിപ്പിച്ച ബഹുമാനപ്പെട്ട മെമ്പർ ചരിത്രത്തിൽ വരുത്തിയ അപകടങ്ങൾ ബഹുമാനപ്പെട്ട റവന്യൂ മെമ്പർ തീർത്തതിനു അദ്ദേഹത്തോ

ട് വളരെ നന്ദിപറഞ്ഞുകൊള്ളുന്നു. ഈ വലിയ പ്രമേയത്തിൽ ഗവണ്മെണ്ടു ചെയ്യേണ്ട നീതിയെ അംഗീകരിക്കണമെന്ന ഈ നിശ്ചയം അവതരിപ്പിച്ച ബഹുമാനപ്പെട്ട മെമ്പറുടെ തെറ്റായ ചരിത്രത്തിന്നു ഇപ്പോൾ ബഹുമാനപ്പെട്ട മെമ്പർ പറഞ്ഞിടത്തോളംകൊണ്ടു വേണ്ട സഹായമാകുന്നില്ലെന്നു തീർച്ചയായിരിക്കുന്നത് കഷ്ടമായിരിക്കുന്നു. ആദ്യമുതൽതന്നെ ഗവണ്മെണ്ടു് ഈ കാര്യത്തിൽ വേണ്ടിടത്തോളം ന്യായം കാണിക്കാതെ പകുതി ന്യായം കാണിക്കുവാൻ തുടങ്ങിയാൽ അതു് ഒരു ന്യായത്തിന്റെ ഫലമായിട്ടാണ് പരിണമിക്കുന്നത്. ഒന്നാമതു് ചെയ്ത വലിയ തെറ്റു്, ഈ സ്ഥലം ബർമ്മാഷെല്ലിനു വിറ്റപ്പോൾ ൨൦൦ രൂപാ വിലയുള്ള വീടുകൾ പൊളിച്ചതിന്നു അവരോടു് ൨൦൦ രൂപാ മേടിക്കേണ്ടതായിരുന്നു. ഒരു വീടിനു് ൨൦൦ രൂപാ വിലവരുമെന്ന് കണ്ടിട്ടാണ് ൨൦൦ രൂപാ കൊടുക്കാമെന്നു സമ്മതിച്ചതു്. ഈ സാധുക്കളായ വാലന്മാരും വളരെ ശക്തിയേറിയ കൊച്ചി ഗവണ്മെണ്ടും തമ്മിൽ ഫാസ് ചെയ്തതിനുശേഷമാണ് ഈ ൨൦൦ രൂപാ അവർക്കു കൊടുക്കാമെന്നു സമ്മതിച്ചതെന്നാണു് റവന്യൂ മെമ്പർ പറഞ്ഞതു്. പിന്നെ അവർ ഇതു സമ്മതിച്ചു പ്പെടുത്തു് എന്നു പറഞ്ഞു. ഗവണ്മെണ്ടു നിർബ്ബന്ധിച്ചാൽ നിയമപരിജ്ഞാനമില്ലാത്ത ആ സാധുക്കളായവർ പ്പെടുത്തുകൊടുക്കാതെ നിവൃത്തിയില്ല. പക്ഷെ അദ്ദേഹം പറഞ്ഞ ചരിത്രം സാധുക്കളുടെ കാര്യത്തിൽ സഹായമായിരിക്കുന്നു. നീതി പഴയകാലത്തേക്കാൾ കുറവായിരിക്കുന്നു എന്നാണ് റവന്യൂ മെമ്പർ പറഞ്ഞതിന്റെ അർത്ഥം. സാധുക്കളായ അവരെ പറഞ്ഞയക്കുമ്പോൾ എന്തെങ്കിലും രക്ഷചെയ്യണമെന്ന് അന്നത്തെ ഗവണ്മെണ്ടു് തീർച്ചയാക്കി. ഇതു റവന്യൂ മെമ്പർ ശരിയായ ഗവണ്മെണ്ടിന്റെ ധർമ്മത്തെപ്പറ്റി ഓർമ്മയില്ലാതെ പറഞ്ഞതാണ്.

൨൦൦ രൂപ വില നിശ്ചയിച്ചു വീടിനു് ലോൺ ആയിട്ടില്ല ൨൦൦ രൂപതന്നെ കൊടുക്കേണ്ടതാണ്. സാധുക്കളായ അവർ അവിടെ പണിയിച്ചിട്ടുള്ള വീടിന്റെ വില അവർക്കു കൊടുക്കണം. അതു കൊടുക്കുകയില്ല. ൨൦൦ രൂപ കൊടുക്കണമെങ്കിൽ തിരിച്ചടക്കുന്ന തരത്തിൽ ലോണായിട്ടുകൊടുക്കും. അല്ലെങ്കിൽ ൨൦൦ രൂപയെ കൊടുക്കുകയുള്ളു. ഈ ചന്തക്കച്ചവടമാണോ സാധുക്കളോടു് എടുക്കേണ്ടതു്. ഇതു് ൧൭ വീട്ടുകാരുടെ കാര്യമാണെന്നു പറയുന്നു. ഇപ്പോൾ റവന്യൂ മെമ്പർ അവർക്കു പറഞ്ഞതുപോലെയാണ് സംഗതികളുടെ സ്ഥിതിയെങ്കിൽ തീർച്ചയായിട്ടും ഈ സാധുക്കൾക്കു അവരുടെ പണം കൊടുക്കണം. അതിന്നു നിങ്ങൾ യാതൊരു തരത്തിലുള്ള തടസ്സവും പറയാൻ പാടില്ല. അവർ പോയില്ലെങ്കിൽ അവരുടെ വീടിന്റെ വില കൊടുക്കുകയില്ലെന്നു പറയുവാൻ ഏതു ഗവണ്മെണ്ടിന്നാണധികാരം. ബർമ്മാഷെല്ലിൽനിന്നു ഗവണ്മെണ്ടിന്നു പണം വാങ്ങിക്കൊടുക്കുമായിരുന്നു. അതു ചെയ്തില്ല. അതുകൊണ്ടു ഈ കാര്യം ഇപ്പോൾ വലിച്ചുകൊണ്ടുപോകാതെ, റവന്യൂ മെമ്പർ അവർക്കു പറഞ്ഞതുപോലെയാണ് ഈ ൧൭ വീട്ടുകാരുടെ സ്ഥിതി.

തിയെങ്കിൽ അവരുടെ വീടിന്റെ വില ലോൺ ആയി കൊടുക്കാതെ അവർക്ക് മെത്തമായിട്ട് കൊടുക്കണമെന്നാണ് എനിക്കു ബഹുമാനപ്പെട്ട സഭയോടു പറയാനുള്ളത്.

മിസ്റ്റർ വി. കെ. കുട്ടി (*Muslims*).— സർ, ഈ പ്രമേയത്തിനു കാരണമായിരിക്കുന്ന സംഗതിയുടെ യഥാർത്ഥവിവരം ആദ്യമുതൽക്കേ മനസ്സിലാക്കുവാൻ കഴിഞ്ഞിട്ടുള്ള ഒരാളാണ് ഞാൻ. ഈ റസല്യൂഷൻ അവതരിപ്പിച്ച മെമ്പർ പറഞ്ഞ മനോഹരമായിക്കാണു ഈ കായ ലോരത്തെ ആദ്യമറിവാസികളായിരുന്നു തുടർത്തേ നിവാസികളായിരുന്ന വാലന്മാരെ. സ്ഥാനത്യാഗംചെയ്ത മഹാരാജാവു തിരുമനസ്സു കൊണ്ട് ഈ സ്ഥലമെല്ലാം ഗവണ്മെന്റിലേക്കെടുത്തപ്പോൾ സാധുക്കളായ വാലന്മാർ ആ മഹാരാജാവ് തിരുമനസ്സിലെ സന്നിധിയിൽ സങ്കടം ബോധിപ്പിക്കുകയും കരുണാനിധിയായ തിരുമനസ്സുകൊണ്ട് അന്നത്തെ ദിവാൻജിയെ വിളിച്ചു സൗകര്യമായ ഒരു സ്ഥലം അവർക്ക് ഏർപ്പെടുത്തിക്കൊടുക്കണമെന്ന് വാക്മൂലം കല്പിക്കുകയും ചെയ്തിട്ടുള്ളതിന്റെ ഫലമായിട്ടാണ് ഈ സ്ഥലം അവർക്ക് ലഭിച്ചിട്ടുള്ളത്. ഈ സംഗതി ബഹുമാനപ്പെട്ട റവന്യൂ മെമ്പർ ഒരുപക്ഷെ അറിഞ്ഞിട്ടില്ലെന്നാണ് ഞാൻ വിചാരിക്കുന്നത്. സാധുക്കൾക്കുവേണ്ടി ആ തിരുമനസ്സു കൊണ്ട് ചെയ്തിട്ടുള്ള അനുഗ്രഹം അവരെ സഹായിക്കുവാനല്ലാതെ ദ്രോഹിക്കുവാനല്ലെന്നു ഗവണ്മെന്റ് മനസ്സിലാക്കണം. ഈ ഘവീട്ടു കാരെ സംബന്ധിച്ചു പറയുകയാണെങ്കിൽ ൫൦൦ രൂപാ വിലയുണ്ടെന്നു മരാമത്തുവകുപ്പുകാർപോലും സമ്മതിച്ചിരിക്കുന്ന ഈ വീട്ടുമസ്ഥന്മാർ പോലും ഇന്നു ഇരുനൂറ്റും, മൂന്നൂറ്റും രൂപാ കടക്കാരായിട്ടാണ് നെമ്മനശ്ശേരി പാറവിൽ താമസിച്ചുവരുന്നത്. ഇന്ന് ബഹുമാനപ്പെട്ട റവന്യൂ മെമ്പർക്കുതന്നെ അറിയാം. ന്യായമായി അവർക്ക് സിദ്ധിച്ചിരിക്കേണ്ട അവകാശം സിദ്ധിച്ചിട്ടില്ലെന്നും അതു ലഭിച്ചാൽ അവർ കടക്കാരായിത്തീരുകയില്ലായിരുന്നുവെന്നും. ൧൦ ക. വാങ്ങി ഒഴിഞ്ഞുകൊള്ളാമെന്നു അവർ കച്ചീട്ടുവച്ചുകൊടുത്തതായി പറയുന്നു. ഈ കച്ചീട്ടിന്റെ സന്ദർഭം എന്തായിരുന്നു എന്ന് എനിക്കറിയാം. ആദ്യമായി ഗവണ്മെന്റിൽനിന്ന് അവരോട് വീടുവിട്ടിറങ്ങിപ്പോകുവാൻ ആവശ്യപ്പെട്ടു. പത്തോ പതിനഞ്ചോ രൂപാവിതം വാങ്ങി ഇറങ്ങിപ്പോകുവാനാണ് അവരോട് ആവശ്യപ്പെട്ടത്. പക്ഷെ എട്ടുപത്തു കുഞ്ഞുങ്ങളോടുകൂടിയ ഈ കുടുംബങ്ങൾ നിയമം ലംഘിച്ചാലും, ഗവണ്മെന്റ് കഴുത്തിൽപിടിച്ചു തള്ളി പുറത്താക്കിയാലും ഞങ്ങൾ ഇറങ്ങുകയില്ലെന്ന ദൃഢനിശ്ചയത്തോടുകൂടിയാണ് അവർ അവിടെ താമസിച്ചിരുന്നത്. പൊല്പീസ് സഹായംമൂലം അവരെ വെളിയിൽ ഇറക്കുമെന്നു ഗവണ്മെന്റ് ഒരു ഓർഡർ കൊടുത്തിരുന്നു ബഹുമാനപ്പെട്ട റവന്യൂ മെമ്പർ ഓർക്കുന്നുണ്ടായിരിക്കാം. അങ്ങിനെ ഒരു ഓർഡർ അയക്കേണ്ട സംഗതി ഗവണ്മെന്റിനുണ്ടായിട്ടുണ്ടെങ്കിൽ അതിനുള്ള പരിതസ്ഥിതികൾ എന്താണെന്ന് ഗവണ്മെന്റുതന്നെ അന്വേഷിച്ചാൽ അറിയാവുന്നതാണ്. നിവൃ

യില്ലെന്ന ഘട്ടംവരുമ്പോൾ അവർ പബ്ലിക് തെരുവുകളിൽ കിടന്നു മരിക്കുവാൻ തീർച്ചയാക്കിയ കഥ എനിക്കറിയാം. ഞങ്ങളെപ്പോലെ യുള്ള ചിലരുടെ ഉപദേശംമൂലം നിയമലംഘനം ചെയ്യാതെ, നിയമപരമായ സംഗതിയിൽക്കൂടി പ്രവൃത്തിക്കുകയാണുണ്ടായത്. ഇത് രഹസ്യമല്ല പരസ്യമാണ്. ഈ മഹാ വീട്ടുകാരും നെമ്മനശ്ശേരി പറമ്പിൽ താമസിക്കുന്നവരാണെന്നു റവന്യൂ മെമ്പർ സമ്മതിക്കുമെന്നാണ് ഞാൻ വിചാരിക്കുന്നത്. പ്രവർത്തി എടുത്തു കിട്ടുന്നതുകൊണ്ട് വളരെ സമാധാനത്തിലും സുഖത്തിലും ജീവിക്കുന്ന ഇവർ ഇന്നു എത്രോ പത്തോ ആയിരം രൂപക്കു കടക്കാരായിത്തീരുകയും, അവർക്കു മാസത്തോറും പലിശപോലും അടക്കുവാൻ നിവൃത്തിയില്ലാതെ കഷ്ടപ്പെടുകയും ചെയ്യുന്നു. യാതൊരു ബുദ്ധിമുട്ടും ക്ലേശവും കൂടാതെ ജീവിതം നയിക്കുന്ന ഒരു ജനസമൂഹത്തെ ഗവണ്മെന്റ് ആപൽഗർഭത്തിലേക്കു തള്ളിവിട്ടിരിക്കുകയാണ്. അതുകൊണ്ട് ഗവണ്മെന്റ് സത്യമായി, ന്യായമായി അവർക്കു കിട്ടേണ്ട വില അവർക്കു കൊടുത്തുകൊണ്ട് ഗവണ്മെന്റിൽനിന്നും കടപ്പെട്ട സങ്കടം അനുഭവിക്കുന്ന അവരെ ഈ ദൃഷ്ടിനിയിൽനിന്നും രക്ഷിക്കണമെന്ന് ഞാൻ അപേക്ഷിക്കുന്നു.

മിസ്റ്റർ എം. എ. ശങ്കണ്ണി (*Nominated*).— സർ, ഈ പ്രമേയത്തെപ്പറ്റി രണ്ടുവാക്കു ഞാനും പറഞ്ഞുകൊള്ളുന്നു. ബഹുമാനപ്പെട്ട അവതാരകൻ മഹാ വീട്ടുകാരുടെ കാര്യമെ പറഞ്ഞിട്ടുള്ളു. പക്ഷെ എന്റെ അറിവിൽ ഈ മഹാ വീട്ടുകാർമാരുമല്ല, വേറെയും പലരുമുണ്ടെന്നാണ്. അതുകൊണ്ട് എന്തെങ്കിലും ചെയ്യണമെന്നു വിചാരിക്കുന്നുണ്ടെങ്കിൽ ഇതിനു അർഹനാരായിട്ടുള്ളവരേയും ഉൾപ്പെടുത്തണമെന്നാണ് ഞാൻ അപേക്ഷിക്കുന്നത്.

Mr. K. Achyuta Menon (*Diwan Peishkar*).— The Hon'ble Member for South Ezhuvas seldom makes a mistaken statement of fact. He has done it to-day. He seems to think that there has been higgling and haggling between the Government and the Valans. That was not so. The Valans were perfectly conscious that as a matter of right they had nothing to expect from the Government. They took legal advice from no less a person than Mr. Sankara Puduval and many other Vakils of this House. One thing was apparent and that was that they had no right in law for anything from Government.

Mr. A. V. Moothedan (*Chalakkudi*).—Did Mr. Sankara Puduval actually agree to that?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—There is no question of agreement. That was the fact. The original understanding had been made prior to the Tenancy Regulation. In law they were to get no value, they were to surrender unconditionally. They were allowed to demolish the materials

and transport them at their own cost. How can the Tenancy Regulation apply in this case? The position is incontrovertible, that they were not entitled to anything under law. When I received the petitions, I met the Valans and convinced them that they had no case and after an informal discussion with the Diwan I offered them certain concessions. I had recorded all these in my file, page 419.

“ The Valans of Thoosam, who have been persistently refusing to quit the land in their unauthorised occupation even after notices to quit had been served on them in the manner prescribed by law, have at last realised that their obstinacy is going to do them no good and have agreed to vacate the land. They have however made an appeal that the Government might be pleased to grant them some concessions, which while they would not prejudice the interests of the Government would they say be of great help to them in establishing themselves in their new homes. All except the 63 who agreed to go away to the new settlement in the first instance are willing to quit, after dismantling their houses and taking away with them the materials which would be obtained on such demolition. They however request for a long term loan, repayable within 20 years of an approximate amount of Rs. 300 each, without interest, on the security of the land which they have decided to purchase with the amount advanced by Government. They have also agreed to charge all houses and other structures if any which they may erect on the sites so purchased.”

They made an appeal to me. With great diffidence I placed it before the Government. Government granted the request. They took the benefit of it and now they say we want not only the loan but we want increased demolition charges. The loss to Government involved in the transaction is large. A loan of 300 rupees without interest for 20 years, involves great loss. I made a recommendation of 6 per cent interest. But the Government in their magnanimity said that they would go to the fullest extent and insist on no interest. If interest is calculated it would come to 18½ rupees per year which works out to more than Rs. 360 for 20 years, which is more than the amount that has been advanced.

Mr. M. V. Cherian (*Mattancheri, South*).— Why was not the value of the buildings received from the Burmah Shell Company?

Mr. K. Achyuta Menon (*Diwan Peishkar*).— For the simple reason that they—the Valans—were entitled to remove the houses and for the obvious reason that you cannot sell other peoples' houses.

Mr. M. V. Cherian (*Mattancheri, South*).— The buildings could have been sold to the Burmah Shell and the value realised.

Mr. K. Achyuta Menon (*Diwan Peishkar*).—But the Valans were in possession. They were not willing to go and the houses at that stage belonged to the Valans. It was long after the contract with the Burmah Company that the Valans saw the justice of the demand by Government and agreed to surrender.

Mr. M. V. Cherian (*Mattancheri, South*).—The house could have been acquired.

Mr. K. Achyuta Menon (*Diwan Peishkar*).—Government thought otherwise. With respect to acquisition Government is hedged in by certain limitations. It must be for a public purpose and we will land ourselves in the region of other legal difficulties if we resort to land acquisitions in these cases. The concessions given to them were very generous. Now at the last moment they are making an experiment to see whether they can get anything more.

Mr. A. V. Moothedan (*Chalakkudi*).—The Hon'ble Revenue Member thought that my speech bristled with inaccurate statements. Now 95 per cent of the facts in my speech were taken from Government proceedings of the third Council—from the speeches of Government Members. If those speeches are incorrect I cannot be blamed for it. I would challenge the Hon'ble Revenue Member to come with me and prove that my statements are incorrect. The Revenue Member said that Mr. Sankara Puduval admitted that they were not legally entitled to anything. I repudiate this suggestion. But they did not want legal justice. They wanted natural justice to be done and they appealed to this House to persuade the Government to do them justice. If these Valans were rich people they would have gone to a court of law. Another point that I want to say is that the Land Conservancy Regulation does not apply in this case. Then how can the Police force be used for evicting them? No less a person less than Mr. Sankara Puduval who was the Government Advocate for some time has said that Land Conservancy Regulation would not apply. How can they then be asked to quit without compensation? The Revenue Member thinks that every thing he says is correct law. Then regarding the value of the houses, some of the houses were worth 2,000 rupees. The Chief Engineer has stated so on the floor of this House. It is not from my imagination. Again the Revenue Member stated that it is three years since the question has already been settled. As soon as they became aware of the real state of affairs, I myself took this subject to the Council about

1½ years ago. They sent a petition to the Maharaja. There has been no estoppel or acquiescence. There is another statement by the Revenue Member that these people have given a Kychit. I deny it. They said that they had never given such a Kychit. It may be due to the undue influence of the Diwan Peishkar or under a mistake they gave their signatures to some papers. I do not want to press the Resolution. I appeal to the Government to reconsider the position.

Resolution was, by leave, withdrawn.

21. Providing Mattancheri with a Travellers' Bungalow.

Mr. M. V. Cherian (*Mattancheri, South*).— "*This Council recommends to the Government to provide a first class Travellers' Bungalow in Mattancherri.*"

The resolution speaks for itself. I submit that the necessity for a Traveller's Bungalow in Mattancherri cannot be questioned. People from all parts of India visit the town. There is neither a good hotel nor a good boarding house. These travellers find it very difficult to halt there even for a night. When the motor traffic between Alleppey and Cochin is improving and when travellers cannot find a passage to Ernakulam they find it impossible to stay in Mattancherri unless they make forced visits on friends. I submit the Government should accept this Resolution and provide Mattancherri with a 'Travellers' Bungalow.

Mr. K. S. Panickar (*Ezhuvas North*)—I second it.

Mr. V. K. Aravindaksha Menon (*Chief Engineer*).—The question of constructing a Travellers' Bungalow in Mattancheri has been before the Government for many years. Government have now come to the definite conclusion that it is a work which has to be primarily attended to by the Municipality and if the Municipality can find funds to construct the Travellers' Bungalow Government will be in a position to view the proposition favourably.

Mr. C. R. Iyyunni (*Trichur South*).—May I know whether there is any Travellers' Bungalow in any Municipality which has been constructed by the Government?

Mr. V. K. Aravindaksha Menon (*Chief Engineer*).—In Chittur there is no T. B. In Trichur there was an old building which was once constructed by Government and it is